

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN RE:

MERCY HOSPITAL, IOWA CITY, IOWA, *et al.*,

Debtors.

Chapter 11 Bankruptcy
Case No. 23-00623

ORDER

Upon consideration of the *Motion to Enforce the Confirmation Order, Plan and Liquidation Trust Agreement and to Compel the Liquidation Trustee to Pay Post-Petition Fees and Expenses* [Doc. No. 1293] (the “Sills Motion”) filed by Sills Cummis & Gross P.C. (“Sills”) and the *Motion to Enforce the Confirmation Order, Plan, and Liquidation Trust Agreement and to Compel the Liquidation Trustee to Pay Post-Petition Fees* [Doc. No. 1291] (the Getzler/Cole Schotz Motion,” and collectively with the Sills Motion, the “Motions”) filed by Getzler Henrich & Associates LLC (“Getzler”) and Cole Schotz P.C. (“Cole Schotz”) and the objections and responses filed to the Motions (collectively, the “Objections”) by Dan R. Childers, in his sole capacity as Trustee of the Mercy Hospital Liquidation Trust (the “Liquidation Trustee”) [Doc. Nos. 1476, 1477] and by the Mercy Liquidation Trust Oversight Committee (the “Liquidation Trust Oversight Committee” [Doc. Nos. 1482, 1484]; and Sills, Getzler, Cole Schotz, the Liquidation Trustee, and the Liquidation Trust Oversight Committee (collectively, the “Parties”) having agreed to certain terms upon which the Motions and the Objections will be resolved and to the form and entry of this Order; and it appearing that the relief set forth below is in the best interests of the Parties and, after due deliberation and sufficient cause appearing therefor,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. The Motions are hereby granted on the terms as set forth in this Order herein.
2. The Objections are hereby overruled on the terms as set forth in this Order herein.

3. The Liquidation Trustee is hereby directed to comply with the terms of the Confirmation Order, the Plan, and the Liquidation Trust Agreement and pay a sum in the amount of \$325,000.00 (the “Settlement Amount”), which will be allocated to Sills, Getzler, and Cole Schotz as follows:

Professional	Compensation
Sills Cummis & Gross P.C.	\$167,303.48
Getzler Henrich & Associates LLC	\$145,752.30
Cole Schotz P.C.	\$11,944.22

4. The Liquidation Trustee shall wire the Settlement Amount within five (5) business days of the entry of this Order from the Liquidation Trust Account in the amount of \$167,303.48 to Sills, \$145,752.30 to Getzler, and \$11,944.22 to Cole Schotz.
5. Except to the extent provided in this Order and upon the payment of the Settlement Amount as provided herein, any and all claims, causes of actions, rights, obligations or liabilities arising out of or relating to the Chapter 11 Cases,¹ this Order, the Motions or the Objections between and among Sills, Getzler, Cole Schotz, the Liquidation Trust, the Liquidation Trust Trustee, the Liquidation Trust Oversight Committee and all of its, his, and their respective members, agents, attorneys, accountants *et al.* are mutually released, discharged, and satisfied.
6. Notwithstanding the applicability of any Bankruptcy Rules or other law to the contrary, this Order shall be immediately effective and enforceable upon its entry.
7. This Court shall retain exclusive jurisdiction to hear and decide any and all disputes related to or arising from the implementation, interpretation, and enforcement of this Order.

¹ Capitalized terms not defined herein shall have the meaning ascribed to them in the Sills Motion and the Plan.

Entered this 24th day of February, 2025.



Honorable Thad J. Collins, Chief Judge

Order Prepared By:
Eric W. Lam AT0004416
Attorney for Liquidation Trustee

So Consented:
/s/ Andrew H. Sherman
Sills Cummis & Gross PC

So Consented:
/s/ William H. Henrich
Getzler Henrich & Associates LLC

So Consented:
/s/ Norman L. Pernick
Cole Schotz P.C.

So Consented:
/s/ Paula Roby via email/text consent
Mercy Liquidation Trust Oversight Committee